

MONTHLY SUMMARY OF HUMAN RIGHTS ISSUES AND EVENTS IN HONDURAS

THE FOURTH ANNIVERSARY OF THE COUP – REMEMBERING THE VICTIMS

On 28 June, the fourth anniversary of the coup was marked, as in previous years, by a large march through the capital. The mood was lively and defiant, but the marchers' pace slowed as they arrived at **COFADEH**, which had put on display in the street the photos of some of the many murdered coup opponents. There was applause for the victims and some tears, with marchers going up to individual photos and touching them.

A few days later, on 5 July, there was a demonstration at the airport in Tegucigalpa to commemorate the murder of the first victim, **Isy Obed Murillo**¹, who was shot in the head by a sniper while waiting for the plane which was to bring the deposed President Zelaya back to the country. His death, like those of the other victims, remains in impunity, and his family, far from obtaining justice, have been persecuted by the authorities. His father, José David Murillo Sánchez, was arrested four days after his son's murder as he was leaving COFADEH's offices, after the authorities revived an old case concocted against him in 2004 in response to his environmental work opposing illegal logging in Olancho². He and his wife were forced to leave the country for some months due to this persecution suffered after their son's death.

MILITARIZATION

Soldiers continue to perform police functions in response to the crisis in the police service and the clean-up of it which is theoretically in progress³. In June, **1,000 new posts were created in the armed forces**, which Juan Orlando Hernández, Chair of Congress, justified in the debate to approve the move partly by the need to make up the shortfall in police numbers, currently 14,000, stating that this would be halved when the reform was completed⁴.

Two members of leading human rights organizations suffered in June at the hands of soldiers performing police functions in Tegucigalpa. In the first incident, on 4 June, Mario Zavala, who works for **CPTRT** (Centre for Prevention, Treatment and Rehabilitation of the Victims of Torture and their Families) was intimidated while he was stopped and searched on the way to work by a group of soldiers⁵. In the second incident, on Saturday 15 June, a member of **CIPRODEH** (Human Rights Investigation and Promotion Centre) was dragged out of his house by a soldier who beat him with his rifle and threatened to arrest him, until he identified himself as a human rights defender. The soldier had seen him avoid a military checkpoint where he had witnessed soldiers beating and arbitrarily detaining a group of young people who had been peacefully chatting on their way home. He had been afraid as he saw that none of the soldiers wore any identification⁶.

More than a year after the **murder of Ebed Jassiel Yanes Cáceres**, the most notable victim of soldiers performing police functions, justice is still awaited. The 15-year-old, who was on a motorbike, was shot in the early hours of 27 May 2012 when he failed to stop at a military checkpoint in a suburb of Tegucigalpa. So far, of the soldiers implicated in the killing, only one, a sergeant, has been charged with murder and has been remanded in custody, and two others, a corporal and second lieutenant, are on bail, but all are still awaiting trial. It is only due to the persistence of Ebed's parents and COFADEH, which has taken on the case, that six senior officers have now been put on trial, with the first hearing on 25 June. The charges include seeking to cover up the crime by substituting the weapons used in the killing. Wilfredo Yanes, Ebed's father, has said that he will refer the case

1 <http://www.soaw.org/about-us/equipo-sur/263-stories-from-honduras/4124-4anniversaryisy>

2 See P.133 of [Commission of Truth](#) report.

3 <http://www.montrealgazette.com/news/Honduras+stalls+efforts+clean+USbacked+police+widely+seen/8510562/story.html>

4 <http://www.tiempo.hn/portada/noticias/mas-presupuesto-para-las-ffaa-al-incorporar-mil-nuevos-soldados>

5 <http://cptrt.net/actualidad/102-defensor-de-derechos-humanos-es-intimidado-por-militares>

6 http://www.defensoresenlinea.com/cms/index.php?option=com_content&view=article&id=2655%3Adefensor-de-derechos-humanos-de-ciprodeh-es-victima-de-golpes-malos-tratos-y-allanamiento-ilegal-de-su-vivienda&catid=54%3Ade&Itemid=171

to Inter-American System if he gets no satisfaction in the domestic courts⁷.

US SENATORS' LETTER

The apparent failure of the police clean-up so far and the scale of impunity was one of the many concerns expressed regarding the 'grave human rights situation and deterioration in the rule of law' in Honduras by 21 US senators in a letter sent to John Kerry, the Secretary of State on 18 June⁸, which calls upon the State Department to provide Congress with a detailed assessment of the efficacy of current Honduran government efforts to protect human rights and to investigate abuses allegedly involving police and military personnel. It also asks John Kerry to conduct a thorough review to ensure that no US aid is provided to police or military units implicated in human rights violations, and that every reasonable effort to help ensure that Honduras' November 2013 elections are free, fair and peaceful.

JOURNALISTS

On 24 June, **Aníbal Barrow**, a presenter for TV Globo, was kidnapped by three heavily-armed men in San Pedro Sula. The car in which he was traveling with his daughter-in-law, grandson and driver was intercepted by a pick-up truck at 3.45pm, and the other passengers were forced to get out of the car, which was then driven off. His car was found the same day on the city's outskirts, with a bullet hole in the right-hand side front window, next to the passenger seat, and traces of blood inside. His dismembered and partly burnt body was found on 9 July after a witness, reported to be associated with the abduction, decided to collaborate with the authorities⁹. According to press reports¹⁰, the abductors were paid 400,000 lempiras (about \$20,000) to kill the journalist and were told to leave no trace of his corpse. Four people have already been arrested and more are being sought. The motive for his murder is still to be established. On the day of his abduction, he had interviewed three LIBRE party candidates for the forthcoming elections and had apparently stated that he would vote for LIBRE himself.

Along with the killing in January in Olancho of Celín Orlando Acosta Zelaya, a sports journalist, this is the **second murder of a journalist this year**. According to a report by CONADEH¹¹ (the National Human Rights Commissioner), so far 2013 is the year with the lowest number of killings of journalists since the coup, the worst being 2010 with 12 violent deaths. Of the 36 murders of journalists over the last 10 years, 29 have been committed during Porfirio Lobo's presidency.

The **climate of fear** generated by Aníbal Barrow's abduction and death is being exploited to intimidate journalists. For example, **Mario Castro**, host of the programme *El látigo Contra La Corrupción* (The Scourge of Corruption), received several text messages on 4 July stating that he would share Aníbal Barrow's fate. **Eduardo Maldonado**, proprietor of Channel HCH, reported that, on 9 July, the same day that Aníbal Barrow's body was found, he received a text message saying 'That's what you get when you interfere in things that don't concern you – you're frightened they'll kill you too'¹².

Antonio Quintero Calona was shot from a moving taxi at noon on 12 June in Tegucigalpa and had to undergo surgery. The journalist is the joint host of a nighttime Honduras TV programme which is critical of the

7 [Militares acusados de encubrimiento alegan que se les violó el debido proceso and http://www.elpatriota.hn/site/?q=node/123](http://www.elpatriota.hn/site/?q=node/123)

See also <http://www.soaw.org/about-us/equipo-sur/263-stories-from-honduras/4118-ebedupdate>

8 <http://www.cardin.senate.gov/newsroom/press/release/cardin-leads-senate-call-for-accountability-in-honduras-for-human-rights-violations>

9 <https://www.amnesty.org/en/library/asset/AMR37/004/2013/en/8b11ed59-aed7-4457-be77-6e7d44189551/amr370042013en.pdf>

<https://www.amnesty.org/en/library/asset/AMR37/005/2013/en/28575a09-2f20-4c3d-8706-a8c951ce0982/amr370052013en.pdf>

10 <http://www.laprensa.hn/Secciones-Principales/Honduras/Tegucigalpa/Poderoso-pago-L400-000-para-matar-a-Anibal-Barrow#.Ud-RulMWER8>

11 <http://www.conadeh.hn/index.php/component/content/article/7-conadeh/235-36-periodistas-y-comunicadores-sociales-muertos-violentamente-en-honduras>

12 <http://clibrehonduras.com/main/noticias/periodistas-son-intimidados-través-de-mensajes-de-texto>

government¹³ although the motive for the attack is not known, nor if he was the intended target.

José María Martínez, Communications Director for FESTAGRO, the coalition of Honduran banana and agricultural unions who has a radio show every weeknight on Radio Progreso, has been receiving **constant death threats by phone** since 25 June, and a car without number plates has begun circling the studio when his programme ends at 8 o'clock at night. The threats refer to his radio programme in which he regularly denounces labour and human rights abuses at the Tres Hermanas plantation, an independent producer that sells to Chiquita and is certified by Rainforest Alliance¹⁴.

Gerardo Torres Zelaya, correspondent for Hispantv news agency, reported being **followed by a car** on the night of 22 June in Tegucigalpa. He had previously seen the car circling his office. Torres has recently been reporting on issues such as security, defence and politics.¹⁵

LAWYERS

The killing of Walter Díaz on 12 June in the centre of Tocoa brought to 63 the number of violent deaths of lawyers since Porfirio Lobo came to power, according to a **press release by CONADEH**. Walter Díaz worked for Miguel Facussé's Dinant Corporation, which sought to blame the campesino organization MARCA for the killing. Only five days previously, José Manuel Madrid Chinchilla was murdered, another lawyer working for a company of a major landowner in the Bajo Aguán, this time Óleo Palma de Centroamérica, owned by René Morales¹⁶. According to CONADEH, the most dangerous departments for legal professionals are Francisco Morazán (which includes Tegucigalpa) with 26 recorded killings of lawyers, followed by Cortés (which includes San Pedro Sula) with 15; then Yoro, Atlántida, Olancho, Copán, Comayagua, El Paraíso, Choluteca, and Colón (Bajo Aguán). Over the period of the Lobo presidency, 2011 has been the worst year so far with 22 killings, but 2013 looks set to match that as 10 murders of lawyers had been recorded by the time of the CONADEH's press release on 14 June. The victims are from the range of legal professionals, including public prosecutors, legal advisors for trade unions, financial and state institutions, campesino organizations and agro-industrial companies; criminal and commercial lawyers, and judges specializing in traffic and criminal offences and family law. Such is the concern at the impunity for the killings of lawyers, at 97%, and their sheer number, that Honduran organizations have referred the matter to the Inter-American Commission on Human Rights (IACHR).¹⁷

LGBTI

In June 2013 there were two serious attacks on people associated with the defence of LGBTI rights. The first victim, **Yona Cruz**, a 23-year-old transsexual, had denounced the persecution of fellow transsexuals by the police in Comayagüela, in the capital. On the night of 5 June, she was **shot in the abdomen** from a moving car while she was outside a neighbour's house. The shot seriously damaged a number of internal organs, as a result of which Yona has needed at least two emergency operations. The attack is interpreted by APUVIMEH¹⁸ as attempted murder. Before this attack, Yona had been the victim of constant threats and detention by the police – in November 2012 alone she was detained three times – and was told that she was being detained for lodging formal complaints about her repeated illegal detention, as well as that of other transsexuals¹⁹. A 2011 report produced by the Association Arco Iris jointly with the American Jewish World identified the police as guilty of

13 <http://clibrehonduras.com/main/noticias/periodista-sobrevive-de-milagro-atentado-criminal>

14 <http://www.colsiba.org/noticias/COMUNICADOPUBLICO.pdf>

15 http://www.ifex.org/honduras/2013/06/25/zelaya_perseguido/es

16 <http://conexihon.info/site/noticia/derechos-humanos/derechos-humanos-conflicto-agrario-y-minero/asesinan-dos-abogados-en-menos>

17 See two press releases of May 2013 <http://www.elheraldo.hn/Secciones-Principales/Sucesos/Abogados-de-Honduras-acudir-an-ante-la-CIDH> and <http://www.tiempo.hn/nacion/noticias/honduras-denunciado-ante-la-cidh-por-muerte-de-abogado>

18 APUVIMEH - Association for a Better Life for People Infected and Affected by HIV/AIDS in Honduras. As well as providing support for people with HIV/AIDS, the organization advocates on behalf of members of the LGBTI community.

19 For more details see: http://www.defensoresenlinea.com/cms/index.php?option=com_content&view=article&id=2670:defensora-de-ddhh-de-la-diversidad-sexual-sobrevive-a-atentado-contr

[su-vida&catid=54:den&Itemid=171](http://www.defensoresenlinea.com/cms/index.php?option=com_content&view=article&id=2670:defensora-de-ddhh-de-la-diversidad-sexual-sobrevive-a-atentado-contr-su-vida&catid=54:den&Itemid=171)

most of the human rights violations and physical attacks on the LGBTI community, particularly on transsexuals.²⁰

In the second incident, on 20 June 2013, at around 1pm, the 16-year-old **daughter of human rights defender Sandra Zambrano was forced into a car** in the centre of Tegucigalpa by two unknown men and held for about three hours. Sandra Zambrano is a human rights lawyer with APUVIMEH and her daughter has accompanied her on many occasions during the course of her work. During the abduction, the unknown men told Sandra Zambrano's daughter several times that they were going to kill her. They robbed her of her mobile phone and school bag, but no money was demanded for her release, which makes the human rights defender think that this act was intended to intimidate her. APUVIMEH has recently been active in denouncing public declarations that discriminate and promote hatred against the LGBTI community by pastor Evelio Reyes, journalist Eduardo Maldonado and presidential candidate Salvador Nasralla, as well as the shooting of Yona Cruz (see above). Since 2003, APUVIMEH has recorded at least 117 hate crimes against LGBTI people in Honduras (See [Frontline Defenders action](#)).

PROAH accompanies **APUVIMEH on their monthly march** to the Public Prosecutor's Office where they call for an end to impunity for the murders of members of the LGBTI community, which according to CONADEH numbered 60 from 2010 to 2012²¹. The Inter-American Commission on Human Rights has criticized the ineffectiveness of the state's response²².

OPPOSITION ACTIVISTS

Marvin José Rivera, a young LIBRE activist, and son of the coordinator of the party's Nueva Suyapa Collective, was shot on his motorbike on Saturday 15 June minutes after leaving the National Sports Stadium, where he had been helping with the preparations for the following day's official launch of Xiomara Castro as LIBRE presidential candidate. He was taken to the Teaching Hospital where he died. TV Globo filmed the arrival of Xiomara Castro at the hospital where she was denied entry, and of the friends and family who were subjected to violence, with one youth receiving a knife wound in the arm from one of the hospital's security guards²³.

On 25 June, **Silvia Aguiriano de Sarmiento**, her sister, and bodyguard were murdered as they were driving back from a meeting at the LIBRE offices in Juticalpa, Olancho. Silvia was a LIBRE activist in her own right, but was also the wife of a notable LIBRE leader and candidate, Ulises Sarmiento. According to reports, armed men with AK-47s and automatic rifles opened fire at her car when they were almost home²⁴.

HYDROELECTRIC SCHEMES – CRIMINALIZATION OF COPINH LEADER

Berta Cáceres, the General Coordinator of the Indigenous Lenca organization COPINH (Civic Council of Popular and Indigenous Organizations of Honduras), was arrested on 24 May together with Tomás Gómez, another COPINH member. While he was released immediately, Berta was jailed until the following day. They were accused of “illegally carrying weapons” after a gun was found in their car by soldiers at a military checkpoint in Río Blanco, Intibucá. It is widely believed that the gun was planted to criminalize Berta and COPINH and delegitimize the struggle of the people in Río Blanco against a hydroelectric dam project.²⁵ Thanks to huge support by national and international organizations – over 40 representatives were outside the courtroom during the hearing - Berta was granted a temporary stay in proceedings against her due to lack of evidence on 13 June.²⁶ The version of events provided by the police (who had failed to investigate the alleged crime) and the army had contradicted each other. However, the Public Prosecutor's Office appealed against the

20 See <http://old.latribuna.hn/2011/04/11/estudio-revela-que-policias-son-los-que-mas-abusan-de-homosexuales/>

21 <http://www.proceso.hn/2013/06/22/Nacionales/Unos.miembros.de/70661.html>

22 https://www.oas.org/en/iachr/media_center/PReleases/2012/109.asp

23 <http://www.ellibertador.hn/?q=article/honduras-asesinan-miembro-de-partido-libre-guardias-reprimen-dolientes>

24 <http://www.rightsaction.org/action-content/update-human-rights-honduras>

25 A summary of the recent events can be found here: <http://hondurasresists.blogspot.com/2013/07/human-rights-crisis-in-rio-blanco.html>

26 <https://www.frontlinedefenders.org/node/23076>

court's decision on 22 June²⁷ PROAH has been accompanying COPINH, including in Rio Blanco.

MINING

La Nueva Esperanza

This small community in the mountains of Atlántida, near the Caribbean coast, has been subject to a campaign of intimidation since Lenir Pérez, Miguel Facussé's son-in-law, began mining exploration on the community's land without any consultation. At the beginning of June, armed men were brought into La Nueva Esperanza, who escort the workers to and from the exploration works, but who also walk around the community issuing death threats and preventing villagers from accessing their land, while imposing a curfew. Such is the climate of intimidation that the community's teacher, who has received death threats, felt forced to close the school in early June and has left the area with his family. The local parish priest, Father César Espinza, has also received death threats because of his support for the community, as have members of MADJ (Broad Movement for Dignity and Justice) ([see public statement issued by MADJ](#)). PROAH has visited the community a number of times and has clearly seen the armed men patrolling the village. The local Diocese of La Ceiba has sought to mediate between mining companies, the authorities and the local communities which oppose mining, but has come to the conclusion that the process of dialogue has reached a stalemate. As a result, it issued [a public statement](#) expressing concern at the human and environmental cost of mining in Atlántida, and at the authorities' failure to consult the communities and their acquiescence in their repression. ([See also PROAH blog on the situation in La Nueva Esperanza](#)).

Valle de Siria

The Environmental Committee of Valle de Siria has recently taken new [photos](#) of the skin conditions suffered by the local population, believed to be caused by pollution from the mining activities of GoldCorp. They have been published by Rights Action.

BAJO AGUAN

Members of **Panamá community**, which consists of 300 families, reported in June that, due to the combined presence of troops under Operation Xatruch III and private security guards working for Miguel Facussé's Dinant Corporation, together numbering around 120, they can not access their crops, which means that not only do they risk losing them, but also being left without food. Five members of their community have already been murdered in the land conflict²⁸.

On 11 June, the **EU delegation to Honduras** met with human rights organizations to present the findings of its visit to the Bajo Aguan in April. The EU mission had consisted of the German, Spanish, French, Italian and UK ambassadors to Honduras, as well as Peter Versteeg, Head of the EU delegation in Honduras, Stéphane Le Tallec, a French judge at the Inter-American Court of Human Rights, and the Human Rights Ambassador for the French Ministry of Foreign Affairs. The mission met with the Aguan Human Rights Observatory, the mayors of Trujillo and Tocoa, visited two farms, and spoke with the armed forces, public prosecutors, the police and representatives of the major landowners. The EU Delegation asked the organizations to send documentation on cases in El Aguán or any other suggestion, and stated that it still needed to meet with central government authorities before it could produce a written report²⁹.

MOCSAM

A huge combined force, consisting of hundreds of soldiers and police, were deployed on 12 June to evict campesino families, members of MOCSAM (Campesino Movement of San Manuel, Cortes), who were occupying land which CAHSA (Honduran Sugar Company) claims to own. MOCSAM maintain that INA (National Agrarian Institute) granted them the land in 2012, but then came to an agreement with CAHSA to allow the company to remain in possession of it. The members of the security forces ignored the pleas of MOCSAM's legal representatives that the eviction was illegal, as the campesinos had a lawsuit lodged with the

27 <http://www.ellibertador.hn/?q=article/alerta-fiscal%C3%ADa-hondure%C3%B1a-pide-reabrir-juicio-contrala-lideresa-ind%C3%ADgena-berta-c%C3%A1ceres>

28 http://www.defensoresenlinea.com/cms/index.php?option=com_content&view=article&id=2640:por-militarizacion-campesinos-de-la-panama-no-pueden-sacar-sus-cultivos-&catid=54:den&Itemid=171

29 [Delegación de la UE explica a organizaciones de DDHH resultados de su visita al Aguán](#)

Court of Appeal. The eviction lasted an hour, with the police firing tear gas, water cannon and at least four live bullets at the campesinos. Many of the tear gas canisters landed close to houses, seriously affecting young children and old people. This was the third time this year that the campesinos had been evicted³⁰. On 17 May, 500 members of MOCSAM had held a demonstration to lay claim to a plot of land and were shot at by CAHSA security guards, who killed two of them and seriously injured two more. Three days later, a member of MOCSAM was murdered, shot in the back as she neared her house³¹.

FIRST HONDURAN ALTERNATIVE TRIBUNAL AGAINST FEMINICIDES

This tribunal, which met on 19 June in Tegucigalpa, found that there had been a dramatic increase in feminicides between 2005 and 2012 in Honduras, when violent deaths of women rose from 175 to 606, a 246.3% increase over the last eight years. This figure of 606 represents a murder rate of 14.2 women for every 100,000, or a murder of a woman every 15 hours³². However, of the cases presented in 2011 and 2012, only 2% were subject to a trial and sentencing³³. Since April 2013, feminicide has been recognized in the Penal Code, and now carries a penalty of 30 to 40 years in prison but, given the impunity surrounding these cases, there are concerns about whether the measure will have any effect. The members of the Tribunal were Ana Carcedo, Director of Cefemina (Feminist Information and Action Centre) in Costa Rica; Cecilia Barraza, Director of Humanas in Colombia; Claudia Sánchez, human rights specialist; the writer and literary critic Julio Escoto, and the former National Human Rights Commissioner, Leo Valladares. They found the Honduran state guilty of negligence in the prevention, investigation and resolution of cases of feminicide, and their recommendations included the provision of protection mechanisms and improved access to justice for women victims of violence. The event was organized by the Platform against Feminicides in Honduras (*Tribuna contra los Feminicidios en Honduras*) which is made up of 8 women's organizations.³⁴

TORTURE

To mark the International Day in Support of Victims of Torture on 26 June, the CPTRT (Centre for Prevention, Treatment and Rehabilitation of the Victims of Torture and their Families) presented its Report on Torture, Cruel, Inhuman and Degrading Treatment from a Health Perspective³⁵, covering the period from the coup in June 2009 to June 2012. During this period, the CPTRT documented 260 direct victims of torture and cruel, inhuman and degrading treatment – 76% in open spaces (suggesting that many occurred during demonstrations), 13% while being transported for detention, 14% in police stations and 7% in prisons. 70% were committed solely by the police, and in the remaining cases by soldiers, civilians, DNIC agents (National Criminal Investigation Directorate), private security guards or combination of them. 55% of the victims received blows to various parts of their body, 30% suffered asphyxiation from plastic bags, their own clothing, strangulation or immersion in water or faecal matter, and 48% received threats of death, mutilation or rape directed at themselves or their relatives. There were 11 documented cases of sexual torture of women. Meanwhile, Ramón Custodio, the National Human Rights Commissioner (CONADEH), declared torture to be a practice of the 1980s and early 1990s in Honduras, and that it was 'no longer state policy'³⁶. However, according to CPTRT, even before the coup, 7 out of 10 detainees suffered some form of torture or cruel, inhuman and degrading treatment³⁷.

30 <http://www.honduraslaboral.org/article/descomunal-fuerza-en-desalojo-contra-el-movimiento/> and <http://www.tiempo.hn/sucesos/noticias/desalojan-por-tercera-vez-del-campo-coowle-a-campesinos>

31 <https://www.amnesty.org/en/library/info/AMR37/003/2013/en>

32 *Observatorio de la Violencia* (Violence Observatory) of UNAH (National Autonomous University of Honduras)

33 Statistics collected by member organizations of *La Tribuna de Mujeres* (Women's Platform) in their 2012 study "*Cómo se tejen los hilos de la impunidad*"

<http://www.contralosfemicidios.hn/images/generales/publicaciones/2013/03marzo/Comosetejenlohilosresumen.pdf>

34 Website at <http://www.contralosfemicidios.hn>

35 *Informe sobre Tortura, Tratos Crueles Inhumanos o Degradantes, Una Perspectiva desde la Salud* (June 2009 – June 2012) available at: <http://www.cptrt.net/informe>

36 *La Tribuna* (7.7.2013) <http://www.latribuna.hn/2013/07/07/la-tortura-dejo-de-ser-una-politica-del-estado-hondureno/>

37 P. 14 of CPTRT report. See also, for example, reports by the [UN Sub-Committee on the Prevention of Torture](#) (visit of September 2009) and [Commission of Truth](#).